

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VIAMEDIA, INC.,
Plaintiff,

V.

COMCAST CORPORATION and
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC,
Defendants.

No. 16 C 5486

Hon. Charles R. Norgle, Sr.

Hon. Sheila M. Finnegan,
Magistrate Judge

**COMCAST’S MOTION FOR LEAVE TO FILE
SUPPLEMENTAL MEMORANDUM IN OPPOSITION
TO VIAMEDIA’S MOTION FOR A PROTECTIVE ORDER**

Defendants Comcast Corporation and Comcast Cable Communications Management, LLC (collectively “Comcast”) seek leave to file their Supplemental Memorandum in Opposition to Viamedia’s Motion for Protective Order. In support of this motion, Comcast states as follows:

1. On September 14, 2020, Plaintiff Viamedia, Inc. (“Viamedia”) moved for entry of a Protective Order in this matter. Dkt. No. 401. On November 5, 2011, Comcast filed a motion to compel Viamedia to respond to particular discovery requests. Dkt. No. 410. Both motions are fully briefed and pending before this Court.

2. On the August 27, 2021 status hearing, Magistrate Judge Finnegan directed Comcast and Viamedia to proceed with party depositions. *See* Dkt. No. 452. Party depositions commenced with the deposition of Ms. Anita James of Viamedia on September 24, 2021.

3. In the recent deposition, Viamedia took an extremely narrow view of permissible discovery, citing the position it has taken in the pending discovery motions, and repeatedly instructing Ms. James not to answer Comcast's questions. As Comcast explains in the attached

Supplemental Memorandum, the deposition demonstrates why Viamedia's effort to confine discovery is not only incorrect, but impractical. Viamedia's approach will not streamline discovery but instead will generate further disputes.

4. Comcast seeks leave to file the attached Supplemental Memorandum to briefly illustrate, with the recent deposition as a practical example, the error in Viamedia's approach to discovery.

WHEREFORE, Comcast respectfully requests the Court enter an order granting it leave to file the attached Supplemental Memorandum.

Dated: September 28, 2021

Respectfully submitted,

COMCAST CORPORATION AND
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC

/s/ Ross B. Bricker

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CERTIFICATE OF SERVICE

I, Ross B. Bricker, an attorney, certify that on September 28, 2021, I caused **Comcast's Motion to File Under Seal Its Supplemental Memorandum in Opposition to Viamedia's Motion for Protective Order** to be served on all counsel of record listed via the Court's ECF system.

/s/ Ross B. Bricker